

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LLOYD GEORGE MAXWELL

PLAINTIFF

VS.

CIVIL ACTION NO. 5:10-CV-130-DCB-JMR

DAMON HININGER, ET AL

DEFENDANTS

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the Chief United States Magistrate Judge, after referral of hearing by this Court, and the Court, having fully reviewed the Report and Recommendation of the Chief United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of Chief United States Magistrate Judge John M. Roper, Sr. be, and the same is hereby, adopted as the finding of this Court. Accordingly, the Plaintiff's Motion for Default Judgment [40] is denied and the Clerk of Court is directed to issue proper summons to Plaintiff for Defendants Hininger, Laughlin, Slavens, Calhoun, Callahan, Molina and McDaniel. The Court notes that Plaintiff includes several improperly completed summons forms for individuals not named as Defendants in this matter. The Court directs that if Plaintiff wishes to name these individuals as

Defendants in this matter, the appropriate motion should be made to this Court. See FED.R.CIV.P. 15.

SO ORDERED, this the 9th day of February, 2012.

s/David Bramlette
UNITED STATES DISTRICT JUDGE